

FAIRFAX COUNTY
REZONING APPLICATION PACKAGE - P DISTRICTS*
PLANNED DEVELOPMENT HOUSING (PDH)
PLANNED DEVELOPMENT COMMERCIAL (PDC)
PLANNED RESIDENTIAL MIXED USE (PRM)

Revised June 21, 2004

In order to request a rezoning of land by the Board of Supervisors, an application must be filed with the County by the owners or contract purchasers of the land, or their designated agents. A rezoning application must meet specific submission requirements, and include a fee payment and an affidavit, as set forth in the Fairfax County Zoning Ordinance. This package contains a listing of the submission requirements (Attachment 1), a fee schedule (Attachment 2), a four-part application form (Attachment 3), and an affidavit form (Attachment 4) for use in filing such an application. Also provided is a checklist which may be used to ensure that all required elements are included in an application submission (Attachment 5). With the use of this checklist form, applications which are certified as complete will be processed on a priority basis.

SUBMISSION REQUIREMENTS. A synopsis of the submission requirements for an application to rezone land to a Planned Development (PDH), Planned Development Commercial (PDC) or Planned Residential Mixed Use (PRM) Zoning District, pursuant to Sections 18-202, 16-501 and 16-502 of the Fairfax County Zoning Ordinance, is presented as Attachment 1 of this package. In general, the submission requirements include a plat of the property to be rezoned, a legal description, a tax map section, a soils map (for residential development), an affidavit disclosing ownership interests in the property, owner concurrence in the application, a statement of justification for the zoning action proposed, a Conceptual Development Plan (CDP) showing the layout of the proposed development, and a fee. An application for a Final Development Plan (FDP) is also required either concurrently with the rezoning application or subsequent to its approval.

WHERE TO SUBMIT. Rezoning applications may be submitted by mail or hand-carried to the Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), 12055 Government Center Parkway, Suite 801, Fairfax, VA. 22035.

ASSISTANCE. For assistance in the filing of a rezoning application, other information on the application process, clarification of these instructions, or to set up a preapplication meeting to discuss a potential submission or for help with a submission, please call ZED at (703) 324-1290.

HELPFUL HINTS. The following "Helpful Hints" are provided to assist in the filing of a rezoning application.

- Each application should be considered a "package" which must include all required elements when submitted. Submission of pieces individually, rather than as an overall package, typically increases the time it takes to accept the application.
- Each applicant should designate a "single point of contact" who will be responsible for the application during its review. This may be the applicant, attorney, engineer, or other member of the application team.
- The application package should be reviewed for correctness and completeness prior to submission, and to ensure that all parts are coordinated.
- Submitted development plans and rezoning plats should be folded so that they may more readily fit into an overall application package.
- All information, including any supplemental information which may be submitted, should be clearly marked to reference the specific application.

* This information package addresses the submission requirements for rezonings to the PDH, PDC and the PRM Zoning Districts, which are the most frequently requested "P" Districts. For information on the PRC (Planned Residential Community) Zoning District, please see Sections 16-200 and 16-300 of the Zoning Ordinance.

A form is presented in Attachment 5 to assist you with the compilation of an application package. The form is a checklist designed to ensure that all application submission elements are included in the application package. The form needs to be signed by the applicant or a designated agent and should be prominently displayed on top of your submission. With the use of this form, applications which are certified as complete will be processed on a priority basis.

APPLICATION ACCEPTANCE. Once an application is submitted, it is reviewed for completeness by County staff. An application must be complete before it is officially accepted by the County. If an application is incomplete, a letter specifying the deficiencies will be mailed to the applicant or designated agent. Once complete, the application is accepted and an acceptance letter is sent to the applicant or designated agent. The application is then assigned to a staff coordinator and distributed to various Departments for their review.

STAFF REVIEW PROCESS. Upon acceptance of a rezoning application, the application will be reviewed by staff for compliance with the Comprehensive Plan and the Zoning Ordinance, and to assess its impacts on land use, transportation, environmental resources, public facilities and other factors. The review process is managed by a staff coordinator within ZED who will provide staff comments on the request to the applicant, or the applicant's agent, and will facilitate the resolution of any issues which may be identified. Generally, two staffing milestone dates are scheduled during the review of an application, at which time staff comments are synthesized and subsequently presented to the applicant/agent. The staff coordinator will provide all applicants with a schedule and deadlines for the submission of any revised or additional information, including proffers, which may be submitted during the course of the processing of an application. A written staff report will be prepared documenting the analysis of each application, and presenting a recommendation to the Planning Commission and the Board of Supervisors. The staff report is generally published two weeks prior to the Planning Commission public hearing.

PUBLIC HEARINGS. For rezoning applications, public hearings before the Planning Commission and the Board of Supervisors are required. For FDP approval alone, only a public hearing before the Planning Commission is required. The Planning Commission public hearing is scheduled at the time of application acceptance. Applications will generally be scheduled and considered in the order in which they are submitted. The Board of Supervisors public hearing is generally scheduled subsequent to the Planning Commission making its recommendation on the application to the Board of Supervisors.

NOTIFICATION. During the application process, and prior to the public hearings, the applicant/agent will be required to send written notice to the property owners of each parcel of land included within a rezoning application and to, at a minimum, all property owners adjacent to the subject rezoning property. A package will be sent by the County to the applicant/agent approximately 30 days prior to each public hearing, which contains instructions on how to complete the notification process. Please see Section 18-110 of the Zoning Ordinance for additional information on required notification.

AMENDMENTS. The instructions above are also applicable to Proffered Condition Amendments and Final Development Plan Amendments.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY (Virginia Relay Center).

SYNOPSIS OF THE SUBMISSION REQUIREMENTS
FOR REZONING APPLICATIONS TO THE PDH or PDC DISTRICT

All applications for amendments to the Zoning Map (Rezoning) must be accompanied by the following items which are set forth in Section 18-202, Section 16-501 (CDPs), and Section 16-502 (FDPs) of the Zoning Ordinance.

1. An **application form** completed and signed by the applicant (see Attachment 3).
2. Four (4) copies of a **certified plat** of the subject property containing the following information:
 - A. Boundaries of the entire property, with bearings and distances of the perimeter property lines, and of each existing and proposed zoning district.
 - B. Total area of property and of each existing and proposed zoning district presented in square feet or acres.
 - C. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat.
 - D. Location of all existing buildings and structures.
 - E. Names and route numbers of all boundary roads or streets, and the width of existing right(s)-of-way.
 - F. Seal and signature of person preparing the plat.
3. Four (4) copies of a **legal description** of the property, including metes and bounds of each zoning district proposed.
4. One (1) copy of the current Fairfax County **Zoning Section Sheet(s)** covering the area of the application, at a scale of one inch equals five hundred feet (1" = 500'), showing:
 - A. Boundaries of the subject property outlined in red.
 - B. Major thoroughfare access to the property and any known plans for future widening as indicated in the adopted comprehensive plan or a plan prepared by the Virginia Department of Transportation.

If more than one (1) Zoning Section Sheet is required to cover the subject property, such sheets shall be attached so as to create an intelligible map.
5. For all applications proposing residential development, five (5) copies of a map identifying classification of **soil types** at a scale not less than one inch equals five hundred feet (1" = 500'), based upon the County of Fairfax Soils Identification Maps.
6. An **affidavit**, as presented on an affidavit form (See Attachment 4) completed, signed by the applicant or the applicant's authorized agent and notarized. If the applicant's agent completes the application or affidavit on the applicant's behalf, a certified statement from the applicant must be submitted showing the agent's authorization to act in such capacity.

Prior to each public hearing on the application, the applicant shall reaffirm the affidavit required by this Paragraph in accordance with the reaffirmation procedure outlined on the affidavit form.

Additionally, for developments which are subject to the Affordable Dwelling Unit Program, the owner and/or applicant shall submit an affidavit which shall include:

- A. The names of the owners and/or applicants of each parcel of the sites or portions thereof.
 - B. The Fairfax County Property Identification Map Number, parcel size and zoning district classification for each parcel which is part of the site or portion thereof.
- 7. An application filed by an agent, contract purchaser or lessee shall include a notarized written statement signed by the property owner indicating the **owner's endorsement** of the application.
 - 8. Four (4) copies of a written **statement of justification**, dated and signed.
 - 9. **A Conceptual Development Plan**

In addition to those requirements set forth in the Submission Requirements from the Zoning Ordinance Section 18-202 that shall accompany an application for a rezoning, a conceptual development plan (set forth in Section 16-501), certified by a professional engineer, architect, landscape architect or land surveyor authorized to practice as such by the State, including any resubmissions and supporting graphics, shall be filed with the Zoning Administrator in twenty-three (23) copies and shall include the following information. All maps or plans submitted as part of a conceptual development plan shall be presented on a sheet having a maximum size of 24" x 36". If presented on more than one (1) sheet, match lines shall clearly indicate where the several sheets join. One 8 1/2" x 11" reduction of the conceptual development plan and supporting graphics shall also be submitted. All scaled dimensions shall be presented in English units. All submission requirements shall become the property of the County.

- 1. A plan, at a scale of not less than one inch equals one hundred feet (1" = 100'), showing:
 - A. A vicinity map at a scale of not less than one inch equals two thousand feet (1" = 2000').
 - B. A statement which confirms the ownership of the subject property, and the nature of the applicant's interest in same.
 - C. Existing topography with a maximum contour interval of five (5) feet and a statement indicating whether it is air survey or field run.
 - D. Scale and north arrow, with north, to the extent feasible, oriented to the top of all drawings.
 - E. Except for single family detached dwellings, the approximate location and arrangement of all proposed structures and uses to include the maximum height in feet of all structures and penthouses, and a graphic depiction of the angle of bulk plane, if applicable.
 - F. The proposed traffic circulation plan including major streets and major pedestrian, bike and/or bridle paths, and the location of all trails required by the adopted comprehensive plan.
 - G. All proposed major open space areas and the approximate location of all proposed community and public facilities.
 - H. A schedule showing the number of parking spaces provided and the number required by the provisions of Article 11 of the Zoning Ordinance.

- I. Any proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right-of-way.
- J. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan.
- K. A delineation of existing vegetation, to include existing vegetation to be preserved, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map.
- L. Approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed.
- M. The location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- N. A delineation of those general areas that have scenic assets or natural features deserving of protection and preservation, and a statement of how such will be accomplished.
- O. Approximate delineation of any grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact the burial site.
- P. A statement explaining the relationship of the planned development to the adopted comprehensive plan of the County.
- Q. A statement or visual presentation of how adjacent and neighboring properties shall be protected from any adverse effects prompted by the proposed development, to include vehicular access plans, proposed measures of screening, and dimensions of all peripheral yards that will be provided.
- R. A delineation of all existing structures, and an indication of their date of construction if known, and whether they will be retained or demolished.
- S. A statement setting forth the maximum gross floor area and FAR (Floor Area Ratio) proposed for all uses other than residential.
- T. A statement or presentation setting forth the maximum number of dwelling units proposed, to include the density calculations based on the provisions of Section 2-308 (Maximum Density) of the Zoning Ordinance, those units obtained by the use of bonus provisions, and a breakdown of the approximate number of units by type and the range of approximate lot sizes for single family detached dwellings.
- U. A statement or presentation of the open space calculations based on the provisions of Section 2-309 (Open Space) of the Zoning Ordinance.
- V. A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards, or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.

If the proposal includes the request for a waiver of the yard regulations for yards abutting certain principal arterial highways and railroad tracks pursuant to Section 2-414 of the Zoning Ordinance, a study showing projected noise impacts, proposed mitigation measures and effectiveness of such measures shall be submitted.

W. A statement of those special amenities that shall be provided within the planned development.

X. A statement setting forth the proposed approximate development schedule.

2. A statement of the public improvements, both on and off-site, that are proposed for dedication and/or construction, and an estimate of the timing of providing such improvements.

The sheet size and scale of a conceptual development plan may be modified by the Zoning Administrator, based on the nature and/or size of the application.

10. A statement explaining the relationship of the development to and compliance with the development criteria of the **adopted comprehensive plan** of the County.
11. A listing, if known, of **all hazardous or toxic substances** as set forth in Title 40, Code of Federal Regulations Parts 116.4, 302.4 and 355; all hazardous waste as set forth in Commonwealth of Virginia/Department of Waste Management Regulations VR 672-10-1 - Virginia Hazardous Waste Management Regulations; and/or petroleum products as defined in Title 40, Code of Federal Regulations Part 280; to be generated, utilized, stored, treated, and/or disposed of on site and the size and contents of any existing or proposed storage tanks or containers.
12. A **statement that the proposed development conforms** to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.

If the proposal includes the request for a waiver of the yard regulations for yards abutting certain principal arterial highways and railroad tracks pursuant to Section 2-414 of the Zoning Ordinance, a study showing projected noise impacts, proposed mitigation measures and the effectiveness of such measures shall be submitted.
13. Any **additional information** that the applicant may desire to proffer in the consideration of the application.
14. Where applicable, any other information as may be required for **Overlay Districts** (Article 7 of the Zoning Ordinance). The Overlay Districts are: Historic Overlay District, Natural Resource Overlay District, Airport Noise Impact Overlay District, Sign Control Overlay District, Highway Corridor Overlay District, and Water Supply Protection Overlay District.
15. A **Final Development Plan**.

A final development plan can be submitted with the rezoning and conceptual development plan or submitted at a later date as a separate application. A final development plan is commonly submitted with the conceptual development plan as one combined document. However, a final development plan submitted as a separate application requires all the items set forth in these submission requirements, with the exception of Item 9 for a conceptual development plan.

A final development plan (as set forth in Section 16-502 of the Zoning Ordinance) prepared in accordance with the approved conceptual development plan and certified by a professional engineer, architect, landscape architect or land surveyor authorized to practice as such by the State shall be filed with the Zoning Administrator in twenty-three (23) copies, including any resubmissions of the plan and supporting graphics. All maps, plans, sketches and illustrations submitted as part of a final development plan shall be presented on a sheet having a maximum size of 24" x 36". If presented on more than one (1) sheet, match lines shall clearly indicate where the several sheets join. One 8 ½" x 11" reduction of the final development plan and supporting graphics shall also be submitted. All scaled dimensions shall be presented in English units. All submission requirements shall become the property of the County. Such final development plan shall contain the following information:

1. A final plan, at a scale of not less than one inch equals one hundred feet (1" = 100'), showing:
 - A. A vicinity map at a scale of not less than one inch equals two thousand feet (1" = 2000').
 - B. Bearings and distances of the perimeter property lines.
 - C. Total area of property presented in square feet or acres.
 - D. Scale and north arrow, with north, to the extent feasible, oriented to the top of all drawings.
 - E. Names and route numbers of boundary streets and the width of existing right(s)-of-way. Any proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and to the edge of the right-of-way.
 - F. Existing topography and a statement indicating whether it is air survey or field run, with a maximum contour interval of two (2) feet; except where existing ground is on a slope of less than two (2) percent, then either one (1) foot contours or spot elevations shall be provided where necessary, but not more than fifty (50) feet apart in both directions.
 - G. The location and arrangement of all proposed uses, including a preliminary subdivision layout, if subdivision is proposed.
 - H. For other than single family dwellings, the maximum height in feet, to include penthouses, of all buildings, and the number of floors both above and below or partially below finished grade.
 - I. The distances of all structures from the development boundaries and streets.
 - J. A graphic depiction of the angle of bulk plane, if applicable.
 - K. The traffic circulation system and the pedestrian circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, walkways, bicycle paths and/or bridle paths, and all trails required by the

adopted comprehensive plan.

- L. The off-street parking and loading areas and structures.
- M. The open space areas, specifying the proposed treatment or improvement of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
- N. A landscape plan showing the limits of clearing, location and design of all screening measures, indicating the type and height of such screening, and a delineation of existing vegetation, to include existing vegetation to be preserved, and when there is 2500 square feet or more of land disturbing activity, an existing vegetation map.
- O. Approximate delineation of any grave, object or structure marking a burial site if known, and a statement indicating how the proposed development will impact the burial site.
- P. A plan or statement showing how public utilities are, or will be, provided.
- Q. Approximate location, estimated size of footprint in acres and type of all proposed stormwater management facilities, including the full extent of side slopes, embankments, spillways, dams, and approximate water surface elevation for design storms, if applicable. In addition a preliminary stormwater management plan that includes information about the adequacy of downstream drainage, including the sufficiency of capacity of any storm drainage pipes and other conveyances into which stormwater runoff from the site will be conveyed. When there is 2500 square feet or more of land disturbing activity on the entire application property, in addition to the above, the preliminary stormwater management plan shall include:
 - (1) A graphic depicting:
 - (a) The approximate footprint of the stormwater management facility and, where applicable, the height of the dam embankment and the location of the emergency spillway outlet for each stormwater management facility.
 - (b) The approximate on-site and off-site areas to be served by each stormwater management facility, along with the acreage draining to each facility.
 - (c) A preliminary layout of all on-site drainage channels, outfalls and pipes, including inlet and outlet pipes within the stormwater management facility.
 - (d) The approximate location or locations, if any, of any maintenance access road or other means of access to the stormwater management facility, and the identification of the types of surfaces to be used for any such road.

- (e) Proposed landscaping and tree preservation areas in and near the stormwater management facility.
 - (f) The approximate limits of clearing and grading on-site and off-site for the stormwater management facility, storm drainage pipes, spillways, access roads and outfalls, including energy dissipation, storm drain outlet protection and/or stream bank stabilization measures.
- (2) A preliminary stormwater management narrative setting forth the following:
 - (a) Description of how the detention and best management practice requirements will be met.
 - (b) The estimated area and volume of storage of the stormwater management facility to meet stormwater detention and best management practice requirements.
 - (c) For each watercourse into which drainage from the property is discharged, a description of the existing outfall conditions, including any existing ponds or structures in the outfall area. The outfall area shall include all land located between the point of discharge from the property that is located farthest upstream, down to the point where the drainage area of the receiving watercourse exceeds 100 times the area of that portion of the property that drains to it or to a floodplain that drains an area of at least 1 square mile, whichever comes first.
 - (d) Description of how the adequate outfall requirements of the Public Facilities Manual will be satisfied.
- R. The location of all existing utility easements having a width of twenty-five (25) feet or more, and all major underground utility easements regardless of width.
- S. Approximate delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, the delineation of any Resource Protection Area and Resource Management Area, and the approximate delineation of any environmental quality corridor as defined in the adopted comprehensive plan, and, if applicable, the distance of any existing and proposed structures from the floodplain, Resource Protection Area and Resource Management Area, or environmental quality corridor.
- T. When the development is to be constructed in sections, a final sequence of development schedule showing the order of construction of such sections, and an approximate completion date for the construction of each section.
- 2. A final statement in tabular form which sets forth the following data, when such data is applicable to a given development plan:
 - A. Total number of dwelling units by type.
 - B. Residential density in units per acre.

- C. Total floor area and floor area ratio for each type of use, except residential uses.
 - D. Total area in open space.
 - E. Total area in developed recreational open space.
 - F. Total number of off-street parking and loading spaces provided and the number required by the provisions of Article 11 of the Zoning Ordinance.
 - G. Amount of density or floor area applied for under the bonus provisions, and the calculations supporting the specific development provisions giving rise to such bonus application.
3. Architectural sketches, if available, of typical proposed structures, including lighting fixtures and signs.
4. When a final development plan is not submitted in conjunction with a conceptual development plan, an affidavit is required, as presented on an affidavit form approved by the Board of Supervisors and provided by the County, completed, signed by the applicant or the applicant's authorized agent and notarized, including a statement indicating whether or not a member of the Board or Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership in stock in a corporation owning such land, or through an interest in a partnership owning such land. If the applicant's agent completes the application or affidavit on the applicant's behalf, a certified statement from the applicant must be submitted showing the agent's authorization to act in such capacity. Prior to each public hearing on the application, the applicant shall reaffirm the affidavit required by this Paragraph in accordance with the reaffirmation procedure outlined on the affidavit form approved by the Board of Supervisors and provided by the County.

The sheet size and scale of a final development plan may be modified by the Zoning Administrator, based on the nature and/or size of the application.

16. An application fee as shown on the fee schedule set forth in Attachment 2.

Under Par. 3 of Sect. 14-903 of the Zoning Ordinance, a rezoning or development plan application for a service station, service station/mini-mart, or vehicle sale, rental and ancillary service establishment requires the submission of a photometric plan.

Under Par. 1 of Sect. 14-904, a development plan or rezoning application for certain outdoor recreation/sports facilities requires the submission of a sports illumination plan.

Any application may be withdrawn at any time by the applicant or his agent by giving notice in writing to the Zoning Administrator. If the request for withdrawal is made prior to the submission of a development plan, the Zoning Administrator shall refund all except twenty-five (25) percent of the fee paid for filing the application. No fee or part thereof shall be refunded once such development plan has been submitted.

An application may also be administratively withdrawn by the Zoning Administrator if it is determined that the application was accepted in error. In such cases, there shall be a full refund of the fee paid for filing the application.

If an applicant refuses or neglects to prosecute an application or fails to submit a development plan in accordance with the requirements of this Ordinance, the Zoning Administrator may, not less than fifteen (15) days after notice of intention to do so, declare an application dismissed. Notice sent by certified mail, return receipt requested, to the applicant at the last known address shall be deemed adequate compliance with this requirement. If an application is dismissed, there shall be no refund of the filing fee.

If a special exception, special permit or variance is needed in connection with a rezoning, a separate application, and application fee for the respective request are required.

EFFECTIVE JULY 1, 2005
FEE SCHEDULE FOR REZONING APPLICATIONS
All Fees shall be made payable to the County of Fairfax

<u>District Requested</u>	<u>Filing Fee</u>
All R Districts	\$8,820 plus \$185 per acre
All C, I Overlay Districts	\$8,820 plus \$295 per acre
PRC District	\$8,820 plus \$295 per acre
PDH, PDC and PRM District	
Application with Conceptual Development Plan	\$8,820 plus \$295 per acre
Application with concurrent filing of Conceptual and Final Development Plans	\$8,820 plus \$435 per acre
Final Development Plan	\$4,410 plus \$140 per acre
Amendment to a Pending Application for an Amendment to the Zoning Map. The fee for a amendment to a pending application is only applicable when the amendment request results in a change in land area, change in use, or other substantial revision.	\$1,470 plus applicable per acre fee for acreage affected by the amendment
Amendment to a pending application for a Final Development Plan or Development Plan Amendment	\$1,335
Amendment to a Proffered Condition,	\$4,410 plus applicable per acre fee for acreage affected by the amendment
Amendment to a Proffered Condition with no new construction	\$4,410

Note: For purpose of computing acreage fees, any portion of an acre shall be counted as an acre.

The fee for an amendment to a pending application is only applicable when the amendment request results in a change in land area, change in use or other substantial revision.

Comprehensive Sign Plan: \$2,670

Amendment to a Comprehensive Sign Plan: \$1,335

Refund of fees for withdrawal of applications shall be in accordance with the provisions of Sections 112, 208 and 308. There shall be no refund of fees for applications that have been dismissed in accordance with the provisions of Sections 113 and 209.



PLEASE TYPE
OR PRINT IN BLACK INK

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
APPLICATION FOR ZONING MAP AMENDMENT

APPLICATION NO. _____
(Assigned by Staff)

PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), _____, the applicant(s),
petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by
reclassifying from the _____ District to the _____
District the property described below and outlined in red on the Zoning Section Sheet(s)
accompanying and made a part of this application.

PROPERTY DESCRIPTION

1. LEGAL DESCRIPTION:

Lot(s)	Block(s)	Subdivision	Deed Book	Page No.
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2. TAX MAP DESCRIPTION:

Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Area(Ac.or Sq.Ft.)
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3. POSTAL ADDRESS OF PROPERTY: (If any)

4. ADVERTISING DESCRIPTION: (Ex. South of Rt. 236, 1000 feet west of Rt. 274)

5. PRESENT USE: _____

6. PROPOSED USE: _____

7. SUPERVISOR DISTRICT: _____

The name(s) and address(s) of owner(s) of record shall be provided on the affidavit form attached and made part of this application.

The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter on the subject property as necessary to process the application.

Type or Print Name of Applicant or Agent

Signature of Applicant or Agent

Address

Telephone No.

Home

Work

Please provide name and telephone number of contact person if different from above.

DO NOT WRITE IN THIS SPACE

Date application received: _____

Application Fee Paid: \$ _____

Date application accepted: _____

Form RZ (10/89)



Rezoning Affidavit Package

Please read carefully

On July 10, 2006, the Board of Supervisors of Fairfax County, Virginia, adopted revisions to the land use affidavit forms to be used with rezoning, special exception, special permit, and variance applications. The Planning Commission adopted its reaffirmation procedures on April 4, 2002. On February 24, 2003, the Board of Supervisors approved amendments to its "Reaffirmation Procedure for Affidavits."

Important! The adopted Affidavits and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

Contents

1 Rezoning Affidavit	1 Attachment to Par. 1(c)
1 Attachment to Par. 1(a)	1 Attachment to Par. 2
1 Attachment to Par. 1(b)	1 Attachment to Par. 3

Instructions

For your convenience, the *Date* and *Application Number(s)* need only be entered once and will automatically duplicate on each page of this document. Additional copies of the Affidavit and its Attachments can be downloaded as a complete package or individually at www.fairfaxcounty.gov/dpz/affidavits/.

Please note: Acrobat Reader will NOT allow you to save changes made to this document. Any information you enter in the form fields will be lost when the PDF file is closed; therefore, be sure to print and review your document before closing.

If you have a complete version of Acrobat installed on your computer, your changes may be saved for later use.

Support

If you are unsure as to which form to use, please call:
County of Fairfax, Department of Planning and Zoning at 703-324-1290, TTY 711.

For further information or additional forms:
www.fairfaxcounty.gov/dpz/affidavits/

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

I, _____, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
 ☐ applicant's authorized agent listed in Par. 1(a) below

in Application No.(s): _____
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

=====

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS**, and **LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
--	---	--

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

=====

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(**NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer,** etc.)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a “Rezoning Attachment to Par. 1(c)” form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

=====

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☐ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter “**NONE**” on the line below.)

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a “Rezoning Attachment to Par. 2” form.

REZONING AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter “**NONE**” on line below.)

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a “Rezoning Attachment to Par. 3” form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

=====

WITNESS the following signature:

(check one)

☐ Applicant

☐ Applicant's Authorized Agent

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this _____ day of _____, 20____, in the State/Comm. of _____, County/City of _____.

Notary Public

My commission expires: _____

Rezoning Attachment to Par. 1(a)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME

(enter first name, middle initial, and last name)

ADDRESS

(enter number, street, city, state, and zip code)

RELATIONSHIP(S)

(enter applicable relationships listed in **BOLD** above)

(check if applicable)

[] There are more relationships to be listed and Par. 1(a) is continued further on a “Rezoning Attachment to Par. 1(a)” form.

Rezoning Attachment to Par. 1(b)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

=====

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

=====

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(c)

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a
“Rezoning Attachment to Par. 1(c)” form.

Rezoning Attachment to Par. 2

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable)

☐ There are more financial interests in the subject land to be listed and Par. 2 is continued further on a “Rezoning Attachment to Par. 2” form.

Rezoning Attachment to Par. 3

DATE: _____
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

(check if applicable)

☐ There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a “Rezoning Attachment to Par. 3” form.

Rezoning Application Submission Package Elements

(Checklist to be used to ensure all submission elements
are included in application package)

- _____ **Zoning Plat**
- _____ **Legal Description**
- _____ **Tax Map Section**
- _____ **Soils Map (for residential)**
- _____ **Affidavit**
- _____ **Ownership Concurrence**
- _____ **Statement of Justification**
- _____ **Development Plan**
 - _____ Generalized Development Plan
 - _____ Conceptual Development Plan
 - _____ Final Development Plan
- _____ **Fee Payment**

I certify that the above items have been included in this rezoning application package and that I have clearly labeled and cross-referenced all parts, and that, as such, my submission will be reviewed on a priority basis.

I recognize that should any of these applicable items not be included, this package will not be reviewed for acceptance until all items are submitted.

Signature _____ **Date** _____
Applicant/Agent